

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Office of Fire and Aviation

3833 South Development Avenue

Boise, Idaho 83705

August 2, 2001

In Reply Refer To:

9238 (FA-130) P

EMS Transmission 08/02/01

Instruction Memorandum No. OF&A 2001-023

Expires: 09/30/02

To: All Field Officials

From: Director, Office of Fire and Aviation

Subject: Fire Trespass Reporting

Program Area: This Instruction Memorandum (IM) applies to the Bureau of Land Management's Wildland Fire Trespass Program.

Purpose: The purpose of this IM is to detail the mandatory billing and collection reporting requirements on the Fire Trespass Investigation sub-form of the DI 1202 (Fire Reporting System), and to assign the responsibility for preparing an annual report which identifies number, cost, amounts billed and collected, and the status of all incomplete human-caused fire reports. These changes are in response to a recommendation made by the Office of Inspector General in Audit Report No. 98-I-551.

Background: In July of 1998 an audit report by the U.S. Department of the Interior Office of Inspector General (IG), entitled "Reimbursement of Firefighting Costs, Bureau of Land Management," was published. The report recommended that the Bureau's state offices prepare an annual summary of the number, cost, and amounts billed and collected for human-caused fires. The report also recommended that a periodic report on the number of reimbursable fires (the amount of reimbursable firefighting costs incurred, billed, recovered, and written off, and the reasons for any amounts not billed or written off) be prepared for management review and oversight.

The BLM chose to automate the fire reporting system to assist in gathering the data needed to comply with the IG recommendations. An automated form, entitled the "Fire Trespass Investigation" sub-form, was developed to capture human-caused fire information, including

billing and collection data, and has become part of the BLM's Fire Report (DI-1202). Instructions for completing the sub-form were detailed in the *Fire Trespass Interim Guidelines* release of June 10, 2000. The finalized *Fire Trespass Handbook, H-9238-1*, was released on June, 29, 2000, and also included instructions for completing the Fire Trespass sub-form.

In January of 2001, the Director of Fire and Aviation forwarded a list of all incomplete human-caused fire reports to each State Fire Management Officer along with a short note transmittal requesting an update of the incomplete reports. The request was made to assist the states in preparing the annual report of the number of human-caused fires, including amounts billed and collected from those fires. However, the results of the responses demonstrated a need to enhance the Fire Trespass sub-form related reports to include a state summary for billing and collections and also revealed a need to reemphasize the importance of fire reporting, including fire trespass reporting.

Action: The DI -1202 is the Bureau's official reporting document for all wildland fire activities. When a fire is identified as human caused, the electronic fire reporting system will prompt the user to complete the necessary fire trespass data elements. Mandatory data inputs are based on the following situations:

1. When the Field Manager recommends "Not To Proceed" on the Field Manager's Fire Trespass Decision Document (Attachment 1), complete the basic cause, people classification, and status field as "no case" on the DI-1202 Trespass Investigation Sub-Form. A "no case" designation requires the completion of the Field Manager's name, title, and the rationale for that decision. The trespass process is then terminated and the fire report can be closed.
2. If there is sufficient information resulting from the use of the Field Manager's Fire Trespass Decision Document for the Field Manager to make a recommendation to proceed, then enter the appropriate information in the basic cause and people classification fields. Next, select the "trespass case open" option in the status field and enter the assigned trespass case number. (This is not the fire number. See Chapter IV, A. of the *Fire Trespass Handbook*.)
3. The solicitor's decision to close the case results in the closure of the DI-1202 without any trespass or collection actions. At this point, select the option "trespass case closed by Solicitor." The trespass process is then terminated and the fire report can be closed.
4. If the solicitor's decision is to proceed with the trespass case, leave the status box selection as "trespass case open" and leave the trespass case number as previously assigned. Also, enter the amount billed and the date of billing on the DI-1202's relevant fire trespass data fields.

5. When the trespass case is settled, change the status to “trespass closed by billing/collection” and enter the amount recovered and received, and dates of recovery and receipt. If amount received is \$0.00, explain the reason in the remarks section and select the status box option “trespass case closed.” Note: Monies received by BLM may be less than the amount recovered as a result of interagency payments or other agreements.
6. When the trespass case is appealed, select “trespass case appealed” in the status box. The case cannot be closed until the appeal is final and status is updated by choosing “case closed by billing/collections.” If no money is received resulting from the appeal, enter \$0.00 in the amount billed, recovered and received by BLM and complete the month, day and year, and in the remarks section state “Trespass Case Dismissed by Appeal.”

At the end of each calendar year, a report will be completed by each State Office identifying the number, cost, amounts billed and collected, and the status of all incomplete fire reports for all human-caused fires.

The fire reporting system is designed to automatically search for reporting errors. Should required information be incorrectly recorded or left out, the fire report will be flagged as incomplete until the identified problem is corrected. Therefore, it is important to be aware of and correct any “errors” that may be displayed once you have submitted your fire report to the system. If those errors are not corrected, it may affect the accuracy of your automated billing and collections report that is generated within the fire reporting system.

Time Frame: This IM is effective upon receipt.

Budget Impact: The impact of the IM is minimal.

Manual/Handbook Sections Affected: *Fire Trespass Handbook H-9234-1.*

Contact: If you have any questions regarding this IM, please contact Corey Grant (FA-130) at 208-387-5433 or Ed Lewis (FA-107) at 208-387-5166.

Please ensure this information is disseminated to State Office and Field Office Fire Management Officers.

Signed by:
Larry E. Hamilton
Director, Office of Fire and Aviation

Authenticated by:
Pat Lewis
Supervisory Mgmt. Asst.

1 - Attachment

1 - Field Manager’s Fire Trespass Decision Document (1 p.)

Field Manager's Fire Trespass Decision Document

FIELD MANAGER'S FIRE TRESPASS DECISION DOCUMENT		
Fire Name: _____ Fire Number: _____ State: ____ Field Office: _____		
Evaluation Criteria		
	Yes	No
1. Has a fire cause been determined?	_____	_____
2. Has a suspect(s) been identified?	_____	_____
3. Can suspect(s) be located?	_____	_____
4. Has law enforcement made any arrest(s) or issued any citation(s) related to this fire?	_____	_____
5. Are there facts, circumstances, and/or evidence available to sustain trespass actions?	_____	_____
6. Investigation Summary of Facts:		

FMO and Law Enforcement Officers' Recommendation		
<input type="checkbox"/> The BLM should not proceed.		
<input type="checkbox"/> The BLM should proceed.		
<input type="checkbox"/> The BLM is pursuing criminal action. (If criminal action, check box above to proceed.)		
Recommendation Rationale _____		

FMO and/or Law Enforcement Officers' Signature:	Date:	Typed Names:
Field Office Manager's Decision		
<div style="display: flex; align-items: center;"><div style="font-size: 2em; margin-right: 10px;">9</div><div>Proceed _____ Forward to Solicitor</div></div>		
<div style="display: flex; align-items: center;"><div style="margin-right: 10px;">Case # _____</div><div>(AANNN-10-NNNN)</div></div>		
<div style="display: flex; align-items: center;"><div style="font-size: 2em; margin-right: 10px;">9</div><div>Not To Proceed</div></div>		
Explain Decision Not To Proceed and file form with DI-1202: _____		

Field Manager's Signature:	Typed Name:	Date:

